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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/237,125	01/26/1999	MUNIRATHNA PADMANABAN	1997/A006	9591

25255 7590 07/30/2003

CLARIANT CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
4000 MONROE ROAD
CHARLOTTE, NC 28205

EXAMINER

ASHTON, ROSEMARY E

ART UNIT	PAPER NUMBER
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1752

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DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

09/237,125

Applicant(s)

PADMANABAN ET AL.

Examiner

Rosemary E. Ashton

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 April 2003.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,8,9,11,12,14,16-20,22-26,28,30-37 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-26 and 28 is/are allowed.
- 6) ☒ Claim(s) 1,3,4,8,9,16,17,19,20,30-34,36 and 37 is/are rejected.
- 7) ☒ Claim(s) 2,6,11,12,14,18 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 - * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 1752

DETAILED ACTION

Claim Rejections - 35 USC § 102

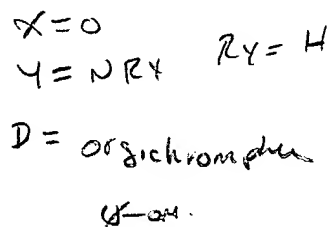
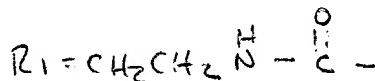
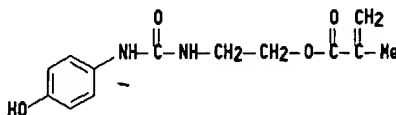
1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1,8,17,19,33,34,36 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishizuka et al cited in the prior office action for the reason stated in paragraph 4 of the prior office action.

Polymer RN 184348-66-1 having the monomers shown below meet the limitations of amended claims 1 and 17 because in the polymer has $m, o, n > 0$ and $p, q = 0$. ~~well as monomer n.~~

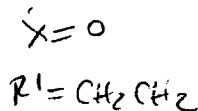
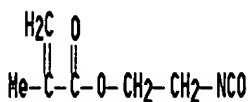
$$n, p, q \geq 0$$

$$m, o > 0$$

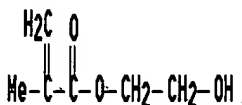
$$0$$



m



n

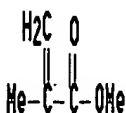


$$o, z \quad m, n, o, p, q \geq 0$$

$$m, o > 0$$

$$\text{obj to } o, z \text{ because } Y = \text{O}$$

n



Art Unit: 1752

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3/6, 11, 12

4. Claims 3,4,9,16,20,30,31,32,37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishizuka et al for the reasons stated in paragraph 5 of the prior office action.

Claims 4,20 and 37 are rejected for the reasons stated in the first paragraph of paragraph 5 and claims 3,9,16,30,31 and 32 are rejected over the second and third paragraphs in paragraph 5 with claim 3 directed to the molecular weight of the polymer.

Allowable Subject Matter

5. Claims 22-26,28 are allowed.

6. Claims 2,6,11,12,14,18,35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach the claimed polymers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rosemary E. Ashton whose telephone number is 703-308-2057. The examiner works a flexible work schedule and can normally be reached M-F between 10:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet Baxter can be reached at 703-308-2303.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communication.

Application/Control Number: 09/237,125

Page 4

Art Unit: 1752

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



Rosemary E. Ashton
Primary Examiner
Art Unit 1752

rea
July 28, 2003

**ROSEMARY ASHTON
PRIMARY EXAMINER**